

Dated: June 8, 1999.
Eleanor R. Spector,
Director, Defense Procurement.

Dated: June 7, 1999.
Ida M. Ustad,
Deputy Associate Administrator, Office of Acquisition Policy General Services Administration.

Dated: May 27, 1999.
Tom Luedtke,
Acting Associate Administrator for Procurement National Aeronautics and Space Administration.
[FR Doc. 99-15145 Filed 6-16-99; 8:45 am]
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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1, 4, 13, 14, 15, and 52

[FAC 97-12; FAR Case 97-003; Item I]

RIN 9000-A114

Federal Acquisition Regulation; Taxpayer Identification Numbers

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Interim rule adopted as final without change.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to adopt the interim rule published in the **Federal Register** at 63 FR 58587, October 30, 1998, as a final rule without change. The rule amends the Federal Acquisition Regulation (FAR) to implement Subsection (i) of the Debt Collection Improvement Act of 1996 and Section 1022 of the Taxpayer Relief Act of 1997, and to clarify the Government requirements for reporting contract and payment information to the Internal Revenue Service (IRS).

EFFECTIVE DATE: June 17, 1999.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat, Room 4035, GS Building, Washington, DC, 20405, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Jeremy F. Olson, Procurement Analyst, at (202) 501-3221. Please cite FAC 97-12, FAR case 97-003.

SUPPLEMENTARY INFORMATION:

A. Background

DoD, GSA, and NASA published an interim FAR rule in the **Federal Register** on October 30, 1998 (63 FR 58587), and received no public comments.

Therefore, we converted the interim rule to a final rule without change.

The interim rule implemented Subsection (i) of the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) and Section 1022 of the Taxpayer Relief Act of 1997 (Pub. L. 105-32). Subsection (i) amended 31 U.S.C. 7701 by requiring each contractor doing business with the Government to furnish its Taxpayer Identification Number (TIN) and by requiring the Government to disclose its intent to use such number for purposes of collecting and reporting on any delinquent amounts. Section 1022 amended 26 U.S.C. 6041A(d) to add payments for services provided by corporations to the list of payments that the Government is required to report to the IRS using Form 1099.

In addition, the interim rule clarified the requirement for Government agencies to obtain contract information and payment information to facilitate issuance of Forms 1099 and other reports to the IRS. The rule deleted the FAR clauses at 52.214-2, Type of Business Organization—Sealed Bidding, and 52.215-4, Type of Business Organization, since the information requested in these clauses duplicates the information requested in FAR 8.405-2(q), Taxpayer Identification Number, and FAR clauses 52.204-3, Taxpayer Identification, and 52.212-3, Offeror Representations and Certifications Commercial Items.

This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

B. Regulatory Flexibility Act

The Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration certify that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule merely clarifies an existing requirement for contractors to submit TINs, and requires the Government to advise contractors of the potential debt collection usage of the TIN.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the

FAR do not impose information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 1, 4, 13, 14, 15, and 52

Government procurement.

Dated: June 9, 1999.

Edward C. Loeb,
Director, Federal Acquisition Policy Division.

Interim Rule Adopted as Final Without Change

Accordingly, DoD, GSA, and NASA adopt the interim rule amending 48 CFR parts 1, 4, 13, 14, 15, and 52, which was published at 63 FR 58587, October 30, 1998, as a final rule without change.

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 11, 37, and 52

[FAC 97-12; FAR Case 96-018; Item II]

RIN 9000-AH85

Federal Acquisition Regulation; Use of Brand Name Item Descriptions

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (the Councils) have agreed on a final rule amending the Federal Acquisition Regulation (FAR) to clarify guidance for the use of brand name purchase descriptions.

EFFECTIVE DATE: August 16, 1999.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat, Room 4035, GS Building, Washington, DC 20405, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Ms. Victoria Moss, Procurement Analyst, at (202) 501-4764. Please cite FAC 97-12, FAR case 96-018.

SUPPLEMENTARY INFORMATION: